

Government Administration, Rules, Ethics & Audit Meeting Summary
May 14, 2007
4:05 p.m.
City Hall, Third Floor

Present: **Chair:** **Kelly Downard**
 Members: **Bob Henderson, Glen Stuckel,**
 Marianne Butler and Kevin Kramer

Absent: **Tina Ward-Pugh, Judy Green**

Chairman Downard began the meeting by introducing the members and non members of the committee that were present. A quorum was established.

Special Items For Discussion - Sunset Ordinance Process

Chairman Downard gave an update of the sunset ordinances. The following was discussed:

- Of the original 41 chapters, 16 have been completed and approve by the Metro Council
- 18 chapters are still in Committee
- 7 chapters not yet assigned to a Committee

Pending Legislation

CM Stuckel requested that when they research the following ordinance, they would look into when the current fines/fees for parking violations was enacted and how that relates to the Kentucky Statutes say as far as Certified Mail.

[O-108-04-07 AN ORDINANCE AMENDING §§ 72.007 and 72.125 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\], RELATING TO PARKING REGULATIONS.](#)

Discussion: At request of the sponsor this item was **Held in Committee.**

[O-85-04-07 AN ORDINANCE RE-ENACTING AND AMENDING CHAPTER 155 OF THE LOUISVILLE METRO CODE OF ORDINANCES \(LMCO\) RELATING TO SIGNS.](#)

Discussion: This item remained **Held in Committee.**

[O-75-03-07 \(S\) AN ORDINANCE REPEALING SECTIONS 32.400-32.404, 32.660-32.663, 32.920, 32.935-32.936, 32.945, AND RE-ENACTING VARIOUS SECTIONS OF THE LOUISVILLE METRO CODE OF ORDINANCES \(LMCO\) CHAPTER 32, RELATING TO ADMINISTRATIVE BODIES, PURSUANT TO KRS 67C.115 \(2\) AND \(3\).](#)

Discussion: Councilman Stuckel motioned approval and Councilwoman Butler seconded.

Format for the ordinance – repealing sections first

- Motion to amend by CM Stuckel and second by CM Henderson to delete Sections 32.660 through 32.663 regarding MARY T. MEAGHER AQUATIC ENTER OVERSIGHT BOARD. By unanimous vote the amendment was approved.
- Motion to amend by CM Kramer and second by CW Butler to delete Section 32.920 regarding CIVILIAN POLICE REVIEW AUTHORITY. By unanimous vote the amendment was approved.

- Motion to amend by CM Stuckel and second by CW Butler to delete 32.935 and 32.945 regarding POLICE ADMINISTRATION ADVISORY COMMITTEE and DIVISION OF FIRE; FIRE AND RESCUE ADVISORY COMMITTEE. By unanimous vote the amendment was approved.
- Motion to amend by CM Henderson and second by CW Butler to delete Section 32.875 regarding the ZOO. Sections A through E. Inserting a new section regarding ZOO FOUNDATION. By unanimous vote, the amendment was approved.
- Motion to amend by CM Stuckel and second by CM Kramer Sections 32.370 and 32.371 regarding LOUISVILLE FREE PUBLIC LIBRARY as follows:

FREE PUBLIC LIBRARY

§ 32.370 ESTABLISHMENT.

~~(A)~~ ~~(B)~~ (A) Pursuant to KRS 173.105, the Metro Government hereby maintains department for the purpose of providing a free public library. The Library Department shall be known as the Louisville Free Public Library.

~~↔ (B)~~ Employees of the library shall have such rights to collectively bargain as are given to other Metro Government employees by ordinance. ~~In the event that recognition is granted to a collective bargaining organization, negotiations will be led by the Metro Government. Any resulting collective bargaining agreement must be by the Metro Government.~~

~~↔ (C)~~ The Mayor shall appoint a Director of the Library. The Director shall serve at the pleasure of the Mayor. ~~↔ (D)~~ (1) There is hereby continued a Louisville Metro Library Advisory Commission.

(2) The Commission may adopt by-laws and such other rules and regulations as may be necessary to its operations.

(3) The Commission shall consist of nine members, all of whom shall be appointed by the Mayor with the approval of the Metro Council. The Mayor, with the approval of the Metro Council, shall appoint a ninth member to serve as Chairperson of the Commission. The terms of the members shall be three years. Vacancies shall be filled by the appointing authority for the unexpired portion of the term in accordance with the selection process outlined in this section.

(4) The Metro Government may, at the request of the Commission, provide such personnel as may be necessary to carry out the purposes of the Commission. These employees shall be under the direction of the Director of the Library.

(5) Each member shall be at least 18 years of age and the Mayor's appointments must reside within Louisville Metro. No member shall be an employee of the Metro Government.

(6) A member of the Commission may be removed by the Mayor for cause, after a hearing by the Mayor, and after at least ten days' notice in writing has been given to the member of the Commission, which notice shall embrace the charges preferred against the person.

(7) A member of the Commission shall be immediately removed from the Commission if the member has missed three consecutive regular meetings of the Commission, without sufficient excuse accepted by the whole Commission.

(8) Members of the Commission shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties subject to available funds.

(9) The Commission shall have sole authority within the funds available for the determination of library materials to be purchased and kept by the library and shall have sole authority for the determination of the expenditures from gifts and grants donated to the library.

(10) At the request of the Mayor, the Commission may make recommendations on other activities of the library. Such recommendations may include:

- (a) An annual evaluation of the Director's performance;
- (b) An annual evaluation of the adequacy of services provided to the community by the library;
- (c) Annual and long-range goals and priorities of the library;
- (d) The establishment of a citizen's complaint procedure; and

(e) The use and management of volunteers.

⊕ (E) This section supersedes and replaces any other agreement or understanding of the Metro Government on the operation of the Louisville Free Public Library.

~~§ 32.371 LIBRARY ADVISORY BOARD; MEMBERSHIP.~~

~~Appointments by the Mayor to the Library Advisory Board shall require approval of the Metro Council.~~

~~§ 32.372~~ § 32.371 MASTER FACILITIES PLAN.

The Master Facilities Plan for the Louisville Free Public Library as adopted by the Library Advisory Commission on December 17, 2002 is hereby accepted and incorporated by reference as if fully set forth herein as the Library Master Facilities Plan for the Louisville Metro Area.

By unanimous vote the amendment was approved.

- Motion to amend by CM Henderson and second by CM Stuckel to delete sections 32.430, 32.421 and 32.423 and renumbering 32.422 which will become 32.420 regarding Public Properties Corporation, Purchase of Property and Advancement of Funds. By unanimous vote the amendment was approved.
- Motion to amend by CM Stuckel and second by CM Henderson Section 32.870 as follows:

DEPARTMENT OF ECONOMIC DEVELOPMENT

§ 32.870 ESTABLISHMENT; POWERS AND DUTIES.

(A) The Metro Government may create a department for the purpose of promoting economic development throughout Jefferson County.

~~(B) The Metro Government shall provide all staff necessary to carry out the duties assigned. The officers, employees, and staff of the joint Office for Economic Development shall be transferred to this Office.~~

~~(C) The Metro Government shall serve as fiscal agent for the office. The employees of the office shall be covered by the Metro Government's classification and compensation ordinance.~~

~~(D) (B) Employees of the office shall have such rights to collectively bargain as are given to other Metro Government employees by ordinance. In the event that recognition is granted to a collective bargaining organization, negotiations will be led by the Metro Government as fiscal agent. Any resulting collective bargaining agreement must be passed by the Metro Government as fiscal agent.~~

~~(E) The Mayor shall appoint an Administrator. The Administrator shall serve at the pleasure of the appointing authority. In the event that the appointing authority terminates the Administrator, such termination may take effect immediately. The compensation of the Administrator shall be fixed by the Metro Government as fiscal agent for the office. The administrator is authorized to employ the necessary staff and personnel for the operation of the office subject to availability of funds.~~

~~(F) The operating costs, including all salaries, of the office shall be financed by annual appropriations from the Metro Government.~~

~~(G) Following the procedures of the Metro Government for budget preparation, the Mayor shall present to the Metro Council a proposed budget stating the amount of money needed for the next fiscal year. All expenses of the Department shall be paid by the Metro Government as fiscal agent.~~

~~(H) All property owned by the Metro Government at or before the effective date of this agreement shall remain the property of the Metro Government, although it is the intention of the Metro Government that the property shall be under the control of the office to be used in the operation of the office.~~

~~(I) In the event of the dissolution of the office, the unused funds appropriated to the account and any assets not otherwise disposed of by the office shall be resumed to the Metro Government according to the percentages in which the sums had been appropriated to the office.~~

~~(J) Economic Growth Fund. In order to further efforts of the Metro Government to create new jobs and strengthen the occupational tax base, the Metro Government hereby creates an Economic Growth Fund. This fund will be used for infrastructure development within the community in order to create employment opportunities. All decisions on expenditures from the Fund will be made by the Metro Council by resolution upon recommendation of the Mayor.~~

By unanimous vote this amendment was approved.

- Motion by CM Stuckel and second by CM Kramer to delete Sections 32.001 and 32.002 regarding COMMUNITY ECONOMIC DEVELOPMENT AUTHORITY. By unanimous vote this amendment was approved.

Motion to table made by CM Kramer and second by CM Henderson. By unanimous vote, this item was **Tabled**.

[O-41-02-06 AN ORDINANCE CREATING AN ANIMAL WELFARE/CONTROL ADVISORY BOARD.](#)
[\(Reintroduced 08/29/06 & 02/08/07\)](#)

Discussion: This item remained **Tabled**.

[R-113-8-06 A RESOLUTION AMENDING SECTION 12 OF THE LOUISVILLE METRO COUNCIL POLICIES AND PROCEDURES TO ESTABLISH COMPENSATION ADMINISTRATION GUIDELINES.](#)
[\(Reintroduced 02/08/2007\)](#)

Discussion: This item remained **Tabled**.

O-44-04-07 AN ORDINANCE REENACTING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) CHAPTER 34 RELATING TO "MERIT BOARD FOR EMPLOYEES OF CERTAIN DEPARTMENTS AND COMMISSIONS," PURSUANT TO KRS 67C.115 (2) AND (3)- (As Amended).

Discussion: Returned to Committee from council meeting- **Held in Committee**

Motion to Adjourn was made by Kevin Kramer and seconded by CM Henderson.

***NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on May 31, 2007.**

The meeting adjourned at 5:00 p.m. without objection.
kjh